

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY ) MDL No. 1456  
AVERAGE WHOLESALE PRICE )  
LITIGATION ) Master File No. 01-cv-12257-PBS  
)  
) Subcategory No. 06-11337-PBS  
) Civil Action No. 08-cv-10852

THIS DOCUMENT RELATES TO: )  
*United States of America ex rel. Ven-A-* ) Judge Patti B. Saris  
*Care of the Florida Keys, Inc., by and* )  
*through its principal officers and* )  
*directors, Zachary T. Bentley and T. Mark* )  
*Jones v. Actavis Mid Atlantic LLC, et al.* )  
)

**SETTLEMENT ORDER OF DISMISSAL  
AS TO DEFENDANTS**  
**SCHEIN PHARMACEUTICAL, INC. and**  
**WATSON PHARMACEUTICALS, INC.**

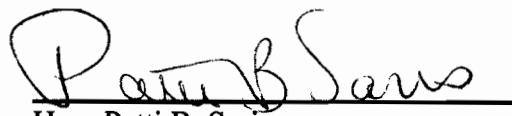
The Court having been advised on June 16, 2011 that the above entitled qui tam action pursuant to the federal False Claims Act (31 U.S.C. §§ 3729 - 3733) has been settled in principle, as to defendants, Schein Pharmaceutical, Inc. and Watson Pharmaceuticals, Inc., subject to the approvals of the defendants' board of directors, the United States and the attorneys general of one or more states participating in the settlement.

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice to the right of any party, or the United States, upon good cause shown, to reopen the action within one hundred and twenty (120) days if settlement is not consummated. Any dismissal of this action with prejudice must be in accordance with 31 U.S.C. § 3730 (b), which states that a qui tam action "may be dismissed only if the court and the Attorney General give written consent

to the dismissal." The Court retains jurisdiction over the subject matter and the parties, including, in accordance with 31 U.S.C. § 3730 (b), for the purposes of review and consideration for approval of any settlement or dismissal with prejudice, determination of relator awards and retroactive reinstatement of the action if the settlement is not consummated.

SO ORDERED by the Court.

Entered 8 day of July, 2011.



Hon. Patti B. Saris  
United States District Court